



CITY OF SUGAR LAND

April 19, 2021

The Honorable Joe Deshotel – Committee Chair
House Committee on Land and Resource Management
P.O. Box 2910
Austin, TX 78768

RE: OPPOSE HB 4447

Dear Chairman Deshotel:

The City of Sugar Land (City) appreciates the opportunity to testify in opposition to **House Bill 4447 (HB 4447)**. HB 4447 would prohibit a municipality or county from requiring submission or approval of required planning documents before the plan or plat can be filed with the municipal planning commission or governing body. As proposed, a “required planning document” would apply to drainage studies, traffic impact analyses, utility evaluations, geotechnical reports, federal permits such as FEMA Conditional Letters of Map Revisions (CLOMRs), and groundwater availability certifications required under Section 212.0101. HB 4447 applies the 30-day action time limit set forth by HB 3167 passed during the 86th Regular Session to the above mentioned studies. Plats and plans are allowed to be “conditionally” approved pending the approval of required planning documents, however, those documents would be subject to a 15-day re-approval process. The bill mandates a “bifurcated” approval process, however, the bill allows the developer to opt out. The overall effect of HB 4447 is that it would implement a “one-size fits all” approach to a process that is by its nature very specific to each individual project.

Conditionally approving plats subject to important studies, such as a drainage study, would pose major concerns for the City of Sugar Land. Without the parameters that these key shaping tools (studies) bring to the layout of subdivisions and plans, there is no way to accurately draw out the design of neighborhoods. Drainage studies, just like traffic or geotechnical studies, are essential for determining an area’s ability to be developed and can impact the amount of lots a development can have. Allowing the plat to move through the process without the benefit of a completed drainage study would most likely lead to multiple delays and revisions if the completed study would have required the developer to change their plans.

Additionally, HB 4447 would have a negative impact on a city’s ability to work with private developers on public/private partnerships. The bill does not take into account commonly utilized partnership agreements, commonly known as “development agreements” where large-scale acreage

is planned. Key to these agreements is often drainage and traffic studies that are submitted and reviewed by the municipality (both in the City or its extra-territorial jurisdiction). Public/private partnership agreements work through mutually beneficial provisions such as City support for establishment of a new municipal utility district, upsizing of utilities or right-of-way, the development of cost-sharing provisions, and project phasing. All of these provisions help to bring certainty to both the developer and the municipality.

For these reasons, the City of Sugar Land respectfully opposes HB 4447. We thank you for the opportunity to provide this information. Please feel free to contact the City should you have any questions regarding our testimony.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lisa Kocich-Meyer'.

Lisa Kocich-Meyer
Director of Planning & Development Services

cc: Members of the House Committee on Criminal Jurisprudence
 The Honorable Joan Huffman, State Senator, District 17
 The Honorable Lois Kolkhorst, State Senator, District 18
 The Honorable Jacey Jetton, State Representative, District 26
 The Honorable Ron Reynolds, State Representative, District 27
 The Honorable Gary Gates, State Representative, District 28
 The Honorable Phil Stephenson, State Representative, District 85